

In the United States Bankruptcy Court  
Northern District of Illinois Eastern Division

Debtor Robert Gacuta

Case No. 09-31485

Honorable A. Benjamin Goldgar

Chapter 13

(847) 514 8657

**FILED**  
UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS

NOV 21 2014

JEFFREY P. ALLSTEADT, CLERK  
PS REP. - DDS

APPLICATION TO SET HEARING ON EMERGENCY MOTION

I hereby certify that I have carefully examined this matter and that there is a true necessity for an emergency motion.

The reason this must be heard as an emergency matter is as follows:

Please take notice that on November 21, 2014 at 10am or as soon thereafter as counsel may be heard, I shall appear before Honorable A. Benjamin Goldgar in his usual courtroom No. 642 in the Dickson Federal Courthouse, 219 S. Dearborn Street, Chicago, Illinois, or in his absence before any other judge who may be sitting in his place or stead, and shall then & there present Emergency Motion to Sell Real Estate, at which time and place you may appear if you see fit. A copy of said Emergency M.

By Robert Gacuta  
Robert Gacuta

Robert Gacuta respectfully presents the Emergency Motion to sell Real Estate, pursuant to section 363 of Title 11 of the United States Code and states:

### Background

- I filed a voluntary petition for relief under Chapter 13 of title 11 of the Bankruptcy Code in the United States Bankruptcy Court for the Northern District of Illinois, Eastern Division on August 26, 2009 (Petition Date)
- Marilyn O. Marshall (Trustee) is the duly appointed and qualified Chapter 13 Trustee
- I completed plan payments on October 17, 2014
- One of the assets of this estate consists of ~~the~~ my interest in real estate property located at 3920 Sundee Rd Northbrook, IL 60062
- I entered into a contract to sell this property and closing was scheduled for November 14, 2014.
- My attorney, Debra Levine, has failed to provide me with the required documents to facilitate the sale of the Real Property. She would not respond to any of my phone calls and phone calls from my

IN THE UNITED States Bankruptcy Court  
Northern District of Illinois Eastern Division

Debtor: Robert Bacuta

Case No: 09 - 31485

Honorable A. Benjamin  
Goldgor

Chapter 13

Motion to Approve Sale of Real Property

- A. Approving my sale of Real Property located at 3920 Dundee Rd Northbrook IL 60062, free and clear of the National City Mortgage Lien
- B. Authorizing me to pay at the time of and from the proceeds the real mortgage held by Bank of America in the approximate amount of \$207,731.79 and the usual customary costs of closing
- C. Approving that no further notice is required
- D. Granting such other & further relief as this court deems just and fair.

- Real Estate attorney
- I will incur significant financial loss if the sale of the Real(Estate) Property does not occur quickly.

### RELIEF REQUESTED

- Pursuant to section 363 of the Bankruptcy Code, I respectfully request the entry of an order authorizing the sale of the Real Property, free and clear of the National City Mortgage Lien.
- I also further request authority to pay at the time of and from the proceeds of the closing the following:
  - (i) the real mortgage held by Bank of America in the approximate amount of \$307,731.79 and the usual customary costs of closing of the sale.
  - (ii) I ask the Court to approve this notice of this Emergency Motion and waive further notice.

Wherefore, I Robert Grueta, pray this Court to enter on order:

A. Approving my sale of Real property located at 3920 Dundee Rd Northbrook, IL 60062, free and clear of the National City Mortgage Lien.

- B. Authorizing me to pay at the time of and from the proceeds the real mortgage held by Bank of America in the approximate amount of \$307,31.79 and the usual customary costs of closing
- C. Approving that no further notice is required, and
- D. Granting such other & further relief as this Court deems just and fair

Dated: November 21, 2014

Respectfully Submitted,

Robert Gaatta

By: Robert Gaatta

Robert Gaatta

847-5148657